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December 12, 2006

TO: Each Supervisor

FROM: Jonathan E. Fielding, M.D., M.P.H.
Director and Health Officer

A handwritten signature in black ink, appearing to read "J. Fielding", written over the printed name of Jonathan E. Fielding.

SUBJECT: **RYAN WHITE CARE ACT REAUTHORIZATION (H.R. 6143)**

On Saturday, December 9, 2006, the U.S. House of Representatives approved H.R. 6143, reauthorizing the Ryan White Comprehensive AIDS Resources Emergency (CARE) Act for three years through Federal Fiscal Year (FFY) 2009. The bill currently awaits signature by the President.

As a result of considerable effort over the last two years on the part of the staff of the Office of AIDS Programs and Policy (OAPP), Susan White, Reggie Todd, Greg Campbell, the Commission on HIV, and staff of the Chief Administrative Office (CAO), we were able to help shape legislation that offers significant benefit to the County. Among the provisions in the reauthorized bill we most actively sought:

- Inclusion of code-based HIV cases to determine the formula portion of our Title I award over the three-year life of this authorization;
- Inclusion of a hold harmless provision significantly protecting the two-thirds of the award determined by formula (this translates to the County receiving no less than 95 percent of its FFY 2006 formula grant). It is still not clear how the County will fare with the one-third portion of the award determined by the competitive grant application process;
- Expansion of the list of allowable core medical services to include medical nutrition therapy and treatment adherence services as part of the list of defined core medical services (given Congressional intent to ensure that at least 75% of Title I awards are invested in core medical services);
- Inclusion of suggested support services to include medical transportation and linguistic services;
- Inclusion of substance abuse programs and detoxification centers as allowable early intervention services fundable as core medical services; and

- Delayed implementation of a Severity of Need Index (SONI), which would have unfairly reduced our award under the supplemental portion based on existing local and state resources.

Among the provisions not included in the legislation:

- Psychosocial case management services as a part of core medical services; and
- Increased overall appropriations for the CARE Act, including Title I.

The final bill also includes a sunset clause, repealing all of the CARE Act provisions at the end of the three-year reauthorization period, which signals that Congress will consider major changes to HIV/AIDS programs when the CARE Act expires.

We will not know the exact impact on local funding until February 2007. In the meantime, we continue to work with our legislative partners, including Susan White and the AIDS Action Council, to preserve federal support of our increasingly burdened local HIV/AIDS care system. These efforts will ensure responsive implementation of the newly reauthorized CARE Act by Health Resources and Services Administration (HRSA).

If you have any questions or need additional information, please let me know.

JEF:MJP:kb

c: Chief Administrative Office
County Counsel
Executive Officer, Board of Supervisors
Susan White